

Article - Criminal Law

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§8–403.

(a) A debtor who possesses personal property that is subject to a security interest may not secrete, hypothecate, destroy, or sell the property or remove the property from the county where it was located when the security interest attached:

(1) without the written consent of the secured party or the secured party's assignee; and

(2) with the intent to defraud the secured party.

(b) (1) A debtor who possesses personal property that is under levy pursuant to a writ of execution may not remove, secrete, hypothecate, destroy, or sell the property or remove the property from the county where it was located when the levy was made:

(i) without the prior written consent of the judgment creditor, the judgment creditor's lawfully authorized agent, or the judgment creditor's assignee; and

(ii) with intent to defraud the judgment creditor or the judgment creditor's assignee, and defeat the lien of the judgment creditor or the judgment creditor's assignee under the levy.

(2) This subsection does not relieve the sheriff or other officer making the levy from responsibility to the judgment creditor for safekeeping personal property taken into possession by the sheriff or other officer making the levy.

(c) A seller of personal property who possesses the personal property under a recorded bill of sale may not remove, secrete, hypothecate, destroy, or sell the property or remove the property from the county where it was located when sold:

(1) without prior written consent in the contract of the buyer or the buyer's assignee; and

(2) with intent to defraud the buyer.

(d) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 6 months or a fine not exceeding \$500 or both.

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